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FEDERAL ELECTION  
COMMISSION

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MURs 6474 and 6534  
Josh Mandel; Citizens for Josh Mandel )  
and Kathryn D. Kessler in her official )  
capacity as treasurer; Citizens for Josh )  
Mandel (State) Committee; State of )  
Ohio )

CERTIFICATION

I, Shelley E. Garr, recording secretary for the Federal Election Commission executive session on January 29, 2013, do hereby certify that the Commission failed by a vote of 3-3 to take the following actions:

1. Find no reason to believe that Josh Mandel violated 2 U.S.C. §§ 441a(f), 441i(e)(1)(A), and 11 C.F.R. §§ 110.3(d), 100.72(a).
2. Find no reason to believe that Citizens for Josh Mandel (Federal) Committee and Kathryn D. Kessler in her official capacity as treasurer violated 2 U.S.C. §§ 441a(f), 441i(e)(1)(A), and 11 C.F.R. §§ 110.3(d), 100.72(a).
3. Find no reason to believe that Citizens for Josh Mandel (State) Committee and Kathryn D. Kessler in her official capacity as treasurer violated 2 U.S.C. § 441a(a)(1)(A) and 11 C.F.R. § 110.3(d).
4. Find no reason to believe that the State of Ohio violated 2 U.S.C. § 441a(a)(1)(A).
5. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated September 6, 2012.

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6. Approve the appropriate letters.

7. Close the file.

Commissioners Hunter, McGahn II, and Petersen voted affirmatively for the motion.

Commissioners Bauerly, Walther, and Weintraub dissented.

Attest:

January 31, 2013  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary of the Commission

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